



FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

memorandum

TO: Chief, Reference Information Center
Chief, Wireless Telecommunications Bureau

FROM: Daniel M. Armstrong *DM*
Associate General Counsel

SUBJECT: *Cingular Wireless LLC v. FCC & USA*, No. 01-1006. Filing of a Petition for Review in the United States Court of Appeals for the District of Columbia Circuit.

DATE: January 17, 2001

This is to advise you that, on January 5, 2001, Cingular Wireless LLC ("Cingular") filed a Petition for Review, pursuant to 47 U.S.C. § 402(a), of *1998 Biennial Regulatory Review Spectrum Aggregation Limits for Wireless Telecommunications Carriers, et al.*, WT Docket No. 98-205, *Report and Order*, 15 FCC Rcd 9219 (1999), and *Memorandum Opinion and Order on Reconsideration*, FCC 00-376 (rel. Nov. 8, 2000).

Cingular contends that the Commission's decision to retain its Commercial Mobile Radio Services spectrum cap rule, 47 C.F.R. § 20.6, is arbitrary, capricious, unsupported by substantial evidence, and contrary to law.

The Court has docketed this case as No. 01-1006. The attorney assigned to handle the litigation of this case is Rodger Citron.